

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

RICHARD GLOSSIP, *et al.*,

Plaintiffs,

v.

RANDY CHANDLER, *et al.*,

Defendants.

No: 14-cv-665-F

DEFENDANTS' MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF

Defendants respectfully request leave of court to file a supplemental brief, of no more than five pages, in further support of their pending motion for summary judgment. The supplemental brief would address the supplemental discovery responses provided by Plaintiffs on May 3, 2021, as well as any supplemental responses that follow.

In support of their motion for leave, Defendants state as follows:

1. On April 6, 2021, Defendants provided Plaintiffs' counsel with instructions on arranging meeting with Plaintiffs in State custody. *See* Ex. 1.
2. Per the request of Plaintiffs' counsel, Defendants scheduled visits between Plaintiffs and Plaintiffs' counsel for April 26. *See* Ex. 2.
3. On April 26, seven of the Plaintiffs refused to attend the scheduled meeting with their counsel. *See* Ex. 3 at 3, 6-13 (Coddington, Fairchild, Glossip, Grant, Harris, Postelle, and Simpson).

4. On May 3, Plaintiffs' counsel asked Defendants for assistance in attempting to contact by phone the inmates who refused to attend the meetings on April 26 and had not otherwise been in contact with counsel. *See* Ex. 4 at 4. (Coddington, Fairchild, Grant, Harris, and Postelle).

5. Defendants were able to provide Plaintiffs' counsel with phone contact with four of the Plaintiffs that same day, while Plaintiff Grant again refused to speak with counsel for the other Plaintiffs. *See* Ex. 4, 5.

6. On additional request of Plaintiffs' counsel, Defendants were also able to provide counsel with phone contact with Plaintiff Simpson. *See* Ex. 4.

7. As Plaintiffs' counsel noted in a letter to Defendants and the Court, verified responses are still potentially forthcoming from Plaintiffs Coddington, Fairchild, Harris, Postelle, Ryder, and Simpson. *See* Ex. 6. At the time of this filing, Defendants have yet to receive those responses.

In light of Plaintiffs' supplemental discovery responses, Defendants respectfully request that this court grant them leave to file a supplemental brief in support of summary judgment, of no more than five pages. Because Defendants have not received timely responses from all of the Plaintiffs, Defendants will presume none are forthcoming. To minimize delay in this Court's adjudication of this case, if granted leave, Defendants will file their supplemental brief by tomorrow, Friday, May 7. Defendants also request that the remaining deadlines be adjusted such that Plaintiffs' Response to Defendants' Motion for Summary Judgment be filed by May 13, 2021 and Defendants' Reply to that Response be filed by May 27, 2021.

Respectfully submitted,

s/ Mithun Mansinghani

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CERTIFICATE OF SERVICE

I certify that on this 6th day of May 2021, I electronically transmitted the forgoing document to the Clerk of Court using the CM/ECF system for filing and that a Notice of Electronic Filing will be transmitted to all registered participants. I further certify that a true and correct copy of the foregoing will be transmitted via first class mail, postage pre-paid to the following non-ECF registrant:

Oklahoma State Penitentiary
Wade Lay DOC# 516263
P.O. Box 97
McAlester, OK 74502

Respectfully submitted,

s/ Mithun Mansinghani

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